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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 Dana Hackenberger,

11 Plaintiff,

12 v.

13 United States of America
ex. rel. United States Department of Energy;
DOES I through X; and ROE BUSINESS
14 ENTITIES I through X, inclusive,

15 Defendants.

Case No. 2-23-cv-00055-JAD-DJA

Order

16 The Court having been notified that the United States Attorney for the District of
17 Nevada certified that General Engineer Brian Paul Jones was acting within the scope of
18 federal employment at the time of the events alleged in the complaint, and the court having
19 been apprised of the substitution of the United States as defendant in the complaint by
20 operation of law under 28 U.S.C. § 2679(d)(1),

21 IT IS HEREBY ORDERED that under 28 U.S.C. §§ 2679(b)(1), (d)(1), defendant
22 Brian Paul Jones is dismissed from this action on the grounds that the exclusive remedy for
23 such claims in an action against the United States.

24 IT IS FURTHER ORDERED that the United States of America is substituted as
25 the defendant in this case.

26 IT IS FURTHER ORDERED that the case caption is amended as shown in this
27 order to reflect the substitution of the United States as defendant in place of Brian Paul
28 Jones.

1 IT IS FURTHER ORDERED that the Clerk of Court must update the docket sheet
2 accordingly.

3 Dated: April 26, 2023

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6 DANIEL J. ALBREGTS
7 UNITED STATES MAGISTRATE JUDGE
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